

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

MARCUS D. WOODSON,)
)
Plaintiff,)
)
) No. CIV-20-256-R
v.)
)
TOMMY SHARP, Warden,)
)
Defendant.)

REPORT AND RECOMMENDATION

Before the Court is Petitioner's Application for Leave to Proceed *In Forma Pauperis*. Doc. No. 6. Having reviewed said Application, the undersigned finds Petitioner has sufficient financial resources to pay the \$5.00 filing fee. Doc. No. 6 at 4, 7, 8. Because he does not qualify for authorization to proceed without prepayment of the filing fee, Petitioner's Application should be denied, and he should be required to pay the full filing fee for this action to proceed.

RECOMMENDATION

Based on the foregoing findings, it is recommended the Application for Leave to Proceed *In Forma Pauperis* (Doc. No. 6) be DENIED and the action be dismissed without prejudice unless Petitioner pays the full filing fee to the Clerk of the Court by April 20th, 2020. Petitioner is advised of his right to file an objection

to this Report and Recommendation with the Clerk of this Court by April 20th, 2020, in accordance with 28 U.S.C. § 636 and LCvR 72.1. The failure to timely object to this Report and Recommendation would waive appellate review of the recommended ruling. *Moore v. United States*, 950 F.2d 656 (10th Cir. 1991); *cf.*, *Marshall v. Chater*, 75 F.3d 1421, 1426 (10th Cir. 1996) (“Issues raised for the first time in objections to the magistrate judge’s recommendation are deemed waived.”).

This Report and Recommendation disposes of all issues referred to the undersigned Magistrate Judge in the captioned matter.

ENTERED this 31st day of March, 2020.



GARY M. PURCELL
UNITED STATES MAGISTRATE JUDGE